

BOARD OF LICENSING OF AUCTIONEERS
BOARD MEETING MINUTES
December 3, 2003

MEMBERS PRESENT

Raymond Williams
James Keating
Roger Chesley
William Macomber
Edward Leary

OTHERS PRESENT

Carol Leighton, Administrator
Debbie Fales, Licensing Clerk
Susan Greenlaw, Board Clerk
Dennis Smith, Assistant Attorney General

MEMBERS ABSENT

Location: Central Conference Room **Start:** 9:00 a.m. **Adjourn:** 3:25 p.m.

CALL TO ORDER

The meeting was called to order at 9:00 a.m.

AGENDA MODIFICATIONS

Members agreed to add the following to the agenda:

- Auction advertisement in newspaper

OLD BUSINESS

Action on Minutes of October 1, 2003 Meeting

A motion was made by Roger Chesley and seconded by Edward Leary to approve the minutes of the October 1, 2003 meeting as written. Unanimous.

NEW BUSINESS

Administrators Report

For informational purposes Board members received information regarding auctioneer licensee history from 1988 to present. The information indicates the actual number of licensees for each year as well as the number of new licenses issued each year.

Members were informed that the Department will not be submitting any Legislative proposals pertaining to this Board for the upcoming January 2004 session.

Adjudicatory Hearing re: Audrey Street (#AUC-168)

The hearing in the matter of Audrey Street opened at 10:20 a.m. Ms. Street was not present nor represented by counsel. Assistant Attorney General Dennis Smith was present on behalf of the State. The Presiding Officer was James Smith. During the hearing it was discovered that neither Ms. Street nor her counsel were aware of the hearing scheduled for today. The hearing was then

recessed to give the licensee's counsel the opportunity to be present. When the licensee's counsel arrived, such testimony was taken from two individuals and the remainder of the hearing was continued to February 4, 2004.

Informal Conference re: Complaint #AUC-172

Following discussion with the licensee, a motion was made by Roger Chesley and seconded by William Macomber to find the licensee in violation of 32 M.R.S.A §291(1)(B) and Board Rules Chapter 50 Section 2A and to offer a consent agreement to include the following: (1) \$400 fine; (2) 6 months probation conditional upon no further violations; (3) restitution in the amount of \$650 to be paid directly to the complainant within 30 days of receipt of the Agreement; and (4) return of a poster to the complainant. Unanimous.

Complaint Officer's Report

Nothing to report.

Examination Results

November 12, 2003: Three individuals took the exam; two received passing scores and one failed the exam. The next examination is scheduled for January 14, 2004.

Review and Action on Applications

Nothing to review.

Correspondence

Auction advertisement in newspaper: A motion was made by Roger Chesley and seconded by Edward Leary to request that the complaint officer investigate a newspaper advertisement regarding an auction. Unanimous.

Next meeting scheduled for February 4, 2004

OTHER BUSINESS

ADJOURN

There being no other business, the meeting adjourned at 3:25 p.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk